

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

MAY 22 2018

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

COLIN R. BRICKMAN, individually and
on behalf of a class of similarly situated
individuals,

Plaintiff-Respondent,

UNITED STATES OF AMERICA,

Intervenor-Respondent,

v.

FACEBOOK, INC.,

Defendant-Petitioner.

No. 17-80080

D.C. No. 3:16-cv-00751-TEH
Northern District of California,
San Francisco

ORDER

CHRISTINE HOLT, individually and on
behalf of all others similarly situated,

Plaintiff-Respondent,

UNITED STATES OF AMERICA,

Intervenor-Respondent,

v.

FACEBOOK, INC., a Delaware corporation,

Defendant-Petitioner.

No. 17-80086

D.C. No. 3:16-cv-02266-JST

Before: W. FLETCHER and CALLAHAN, Circuit Judges.

Resolution of these petitions for permission to appeal pursuant to 28 U.S.C.

§ 1292(b) was stayed pending a decision by the United States Court of Appeals for the District of Columbia in *ACA International v. Federal Communications Commission*, No. 15-1211. On March 16, 2018, the United States Court of Appeals for the District of Columbia issued a decision in *ACA International*.

We grant petitioner's requests (Docket Entry No. 18 in petition No. 17-80080 and Docket Entry No. 20 in petition No. 17-80086) to stay resolution of these petitions for permission appeal pending the decision in *Marks v. Crunch of San Diego*, No. 14-56834 (9th Cir.). Within 14 days after this court's decision in *Marks*, petitioner shall notify this court in writing and shall file a request for appropriate relief.